

Office of Child Protection Ombudsman

2003 Annual Report

In FY03, the Office of Child Protection Ombudsman (OCPO) made changes in the way cases are processed in order to provide better customer service. These changes enhance the interaction among OCPO staff, complainants, and Division of Child and Family Services (DCFS) staff, and strengthen the investigation process and subsequent recommendations. In this report, we describe our purpose and then our work activities to support that purpose.

As described in statute, OCPO's mission is to investigate whether an act or omission of the division with respect to a particular child:

- *Is contrary to statute, rule or policy,
- *Places a child's health or safety at risk,
- *Is made without an adequate statement of reason, or
- *Is based on irrelevant, immaterial or erroneous grounds

OCPO has made some changes to improve customer relations and strengthen OCPO investigations and recommendations to DCFS. These changes are detailed below.

Intake Complaint Process

In FY03, OCPO processed 430 complaints through its intake process. When a referral is received, OCPO evaluates the referral to determine if it is within OCPO's statutory responsibility. If so, the complaint is generally referred to DCFS for a response. If the complainant is not satisfied with the response or if OCPO is particularly concerned about the issues raised, OCPO may conduct an investigation. An investigation is an in-depth, detailed review of the case to assess child safety, determine validity of concerns, and compliance with statute and practice guidelines. Recommendations are often made which address the identified concerns.

In most circumstances where a complaint is received, the information is collected by OCPO and forwarded to the DCFS Constituent Affairs Specialist. In turn, the Constituent Affairs Specialist forwards the concerns to the appropriate region for review and response. If DCFS does not respond within 10 working days, OCPO follows up weekly with the Constituent Affairs Specialist until the response is provided to the complainant and to OCPO. After the response is received, OCPO calls the complainant to see if the complainant is satisfied with DCFS's response. If the complainant is not satisfied, OCPO may conduct an investigation.

Investigations Are Thorough and Meaningful

OCPO made several beneficial changes this year in both investigating and reporting findings. OCPO instituted entrance and exit conferences with DCFS and the complainant, and OCPO screened out requests for investigation where the outcome desired by the complainant could not be provided. Additionally, in order to focus more attention and resources on individual complaints and cases, OCPO has eliminated systemic reviews. In FY03, OCPO received 75 requests to conduct an investigation of the complainant's concerns. The Ombudsman reviewed each request to determine whether the case should be accepted for investigation. The Ombudsman reviewed information from the complainant as well as information contained in the DCFS management information system to determine whether to accept or deny the complainant's request. In 45 cases, the Ombudsman determined that OCPO could not give the complainant a satisfactory remedy or that an investigation may raise false hopes for the complainant. For example, a parent may complain to OCPO that DCFS falsely accused them of abuse and their child should be returned to their care; however, the parent's rights have been terminated. OCPO would decline this request, as OCPO would not be able to provide the complainant with their desired outcome of having the child returned to their home. In prior years, OCPO investigated almost every request for investigation. This year, OCPO more closely reviewed investigation requests to better assure that greater emphasis is placed on cases where there may be a remedy for the complaint or a recommendation to strengthen caseworker practices is possible. Using this criterion, 60% of investigation requests were denied.

OCPO investigated 30 of the 75 requests for investigation. These investigations encompassed 152 valid findings. Ninety-one of the valid concerns were concerns identified by OCPO during the investigative process. An OCPO investigation may involve as few as four or five concerns or as many as eighteen to twenty concerns.

Also this year, OCPO implemented entrance and exit conferences with the complainant and DCFS. An entrance conference assists both DCFS and OCPO better understand the concerns and issues identified by the complainant. DCFS can also provide OCPO with additional information that may not be contained in the case record. An entrance conference helps the complainant better understand OCPO's role and authority and the process by which their concerns will be addressed and gives the complainant the opportunity to clarify their concerns. The complainant also benefits from the in-person connection with OCPO because OCPO provides a safe haven to express concerns without perceived fear of retribution.

Exit conferences are beneficial to both the complainant and DCFS because factual information and OCPO's conclusions and findings from the investigation are reviewed. Both parties are provided with an opportunity to ensure factual accuracy or provide additional information that may strengthen the recommendations being presented. In FY03, OCPO made 184 recommendations.

OCPO also changed the reporting format to incorporate a discussion of practice model principles. OCPO is now presenting information using DCFS' practice model

terminology and philosophy. This approach complements and reinforces DCFS' philosophy and practice guidelines.

This year, OCPO eliminated systemic reviews. In FY02, OCPO conducted systemic reviews incorporating 81 cases. Where there were systemic concerns, cases were randomly selected and the case file reviewed for compliance with certain policies. There were no interviews or further follow up. In order to focus resources on specific complainants, OCPO eliminated systemic reviews. If systemic issues arise, OCPO may review these issues with DCFS and/or refer them to Office of Services Review to incorporate into an on-going review or as part of a special study.

Future Plans

In FY04, OCPO hopes to get providers, caseworkers and complainants to call OCPO earlier and OCPO's management information system will more accurately track work processes. Currently, most complainants call OCPO after their case has been either closed by DCFS or the direction of the case has already been determined. In many cases, OCPO could likely have provided more assistance to the complainant and DCFS if OCPO had gotten involved earlier in the case. OCPO is planning an outreach program this year to help make OCPO's stakeholders more aware of this issue.

Also, OCPO has amended the management information system to better track each stage of intake. These changes will allow OCPO to provide detailed information regarding the status and outcome of each complaint processed by OCPO.

OCPO has also revised the investigative process to include two phases, Investigation I and Investigation II. In FY03, the Ombudsman conducted an in-depth review of both the complainant's concerns and information from DCFS as well as its management information system to determine whether the request for investigation would be accepted or denied. Beginning in FY04, each request for investigation, categorized as an Investigation I, will be assigned to an Assistant Ombudsman. A thorough and objective review of the complainant's concern and a review of the DCFS management information system will be conducted. If further investigation is warranted, the case will be transferred to Investigation II status, resulting in further investigation and an investigative report, including findings and recommendations, being issued. If it is determined that further investigation is not warranted, OCPO will terminate its involvement and notify both the complainant and DCFS of the decision. These changes will enhance data reporting in FY04.